

**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL
CORRECTIONS BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for Mike Morris, Minister of Public Safety and Solicitor General

ISSUE: Mother Child Unit

SUMMARY:

- BC Corrections' Mother-Child Program has been open at Alouette Correctional Centre for Women (ACCW) since June 2014, in accordance with the court's direction.
- The Mother-Child program is supported by comprehensive policies and procedures, staff training and a facility upgrade.
- To develop the program, BC Corrections conducted extensive research and policy work informed by academics, subject-area experts and best practices in other jurisdictions.
- ACCW has a specific building designated for mothers and their babies to live while participating in the program and offers parenting courses for mothers that include infant development and early child care education.
- All correctional officers, supervisors and managers at ACCW receive ongoing protocol and procedural training to support mothers and their babies.
- Since the Mother-Child program opened in June 2014, four babies have been born to women in custody:

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- Whether a mother is incarcerated or a member of the general community, child protection is approached the same way by MCFD, with decisions made entirely independently of BC Corrections.
- BC Corrections has developed a set of comprehensive policies and guidelines based on research and consultations with stakeholders and partners, including provincial and federal counterparts, health and family organizations, academics, the Fraser Health Authority and the Ministry of Children and Family Development.
- In August 2015, a group of community organizations led by Dr. Ruth Elwood Martin released their own set of guidelines for correctional jurisdictions across Canada that included input and recommendations from the Ministries of Justice, Health and MCFD. This group requested that the Ministries endorse the guidelines; however

the request was denied as not all of the recommendations were adopted in their entirety. As a result of not endorsing the guidelines, the group has stated that children have been apprehended instead of being able to participate in the program.

BACKGROUND:

- In December 2013, following a class action lawsuit after the previous Mother Baby Program was closed in 2008, the court found BC Corrections violated s. 7 of the Canadian Charter of Rights and Freedoms (Life, liberty and security of person) and s. 15 (equality rights) by separating a mother and child at the time of birth.
- The court provided BC Corrections with six months from the date of the ruling to develop and implement a new program that accommodates mothers and their babies, which included making sure that the Corrections Act and its regulations were in accordance with the Charter.
- The practice of allowing babies to reside with their mothers in custody was in place from the time ACCW opened in 2004 until February 2008. During this period, 12 women gave birth while in custody and their newborns subsequently resided with them in custody.
- From March 2008 to the implementation of the program in June 2014, there were 23 babies born to inmates in provincial custody:
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- Mother-Child programs are available in federal facilities, in accordance with stringent criteria set by Correctional Service Canada. The average duration of stay for federally incarcerated women is much longer than for provincially incarcerated inmates; concerns around lack of contact are therefore much more acute in a federal setting.
- At this time, Manitoba is the only other province to allow babies to reside in jail with their provincially incarcerated mothers. In 2012, Manitoba entered into a joint venture with CSC for a specialized centre and program for mothers and babies.

OTHER MINISTRIES IMPACTED/CONSULTED:

- N/A

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From: [Cordeiro, John P PSSG:EX](#)
To: s.22
Subject: RE: Information request
Date: Thursday, April 6, 2017 2:50:00 PM

Hello s.22

I can advise that for the calendar year 2016 there were six women who gave birth while in our custody.

John

From: s.22
Sent: Wednesday, April 5, 2017 5:19 AM
To: Cordeiro, John P PSSG:EX
Subject: Information request
Good morning Mr. Cordeiro,

I'm writing you this morning in regards to some information that I'm seeking and hoping that you might be of some assistance.

Your email was forwarded to me from Kris Ghag from the Access to Information department at the government of BC after I submitted a freedom of information request. I was told that I might be able to the information through you without having to go through the request process.

The request that I made is as follows: "Records indicating the number of inmates who have given birth while detained in a provincial correctional facility, as well as records indicating the number of transfers to hospital vs births within prisons in 2016."

If you are able to assist me in finding this information, it would be greatly appreciated. Please let me know if you have any questions.

Thanks very much,
s.22

From: Martin, Lisa C PSSG:EX <Lisa.C.Martin@gov.bc.ca>
Sent: Wednesday, February 28, 2018 2:09 PM
To: Gunnarson, Erin N PSSG:EX <Erin.Gunnarson@gov.bc.ca>
Subject: Re: Mothers and babies since 2017

Only two born in custody in 2017.

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From: Gunnarson, Erin N PSSG:EX
Sent: February-28-18 1:19 PM
To: Martin, Lisa C PSSG:EX; Mahoney, Bev PSSG:EX
Subject: Mothers and babies since 2017

Hi Lisa and Bev,

Can you advise, of the 10 babies listed below, how many have been born in custody since January 2017. Looking at our estimates note from last year, it appears there were four but that MCFD apprehended all. Is this correct? If not, could you please provide a summary of the births since January 1, 2017? We are in estimates tomorrow, and Elenore is requesting this information today.

- Since the program opened in June 2014, ten babies have been born during the mother's term in custody.
- Of the 10 babies, there have been two participants in the program:

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- Eight mothers and babies did not participate in the program:

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My apologies for the rush, and thank you for your assistance!

Erin Gunnarson

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2018/19 ESTIMATES NOTE

Mothers and Babies in Correctional Centres

Suggested Response:

- BC Corrections implemented a Mother-Child Program at Alouette Correctional Centre for Women (ACCW) in June 2014, which has a designated building that was specifically designed for mothers and their babies.
- The program offers health care and parenting courses for mothers that include infant development and early child care education.
- To develop the program, BC Corrections conducted extensive research and policy work informed by academics, subject-area experts and best practices in other jurisdictions.
- The Mother-Child Program is supported by comprehensive policies and procedures, staff training and a facility upgrade.
- All correctional officers, supervisors and managers at the ACCW receive ongoing protocol and procedural training to support mothers and their babies.
- When dealing with expectant mothers, BC Corrections works with the BC Prosecution Service and other justice partners to inform the court of non-custodial options for sentencing, with the goal of helping mothers and their infants stay together in the community and to access an array of community based programming and services.
- Whether a mother is incarcerated or a member of the general community, child protection is approached the same way by the Ministry of Child and Family Development, with decisions made entirely independently of BC Corrections.

Participation since Program opened:

- Since the program opened in June 2014, ten babies have been born during the mother's term in custody.
- Of the 10 babies, there have been two participants in the program:

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- Eight mothers and babies did not participate in the program:

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- Since January 1, 2017, two babies have been born in custody. s.22
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- As of January 26, 2018, there are six pregnant inmates in custody: s.22
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None of the inmates have applied for the program.

Background:

- In addition to Correctional Service Canada, Manitoba is the only other province to allow babies to reside in jail with their provincially incarcerated mothers.
- There are three provincial correctional centres that house both remanded and sentenced females: Prince George Regional Correctional Centre, Okanagan Correctional Centre and Alouette Correctional Centre for Women. Alouette is the only centre with a Mother-Child Program.
- All women who are pregnant while in custody – or those that have recently given birth in the community – are made aware of the opportunity to apply for the Mother-Child Program. Inmates in their third trimester are assigned a case management coordinator who supports the inmates through the application process.
- Mothers not part of the program receive enhanced visitation to have as much contact as possible. This means longer, more frequent visits in a safe environment without other inmates present.
- Nursing mothers are supported in their efforts to continue breastfeeding, subject to medical considerations.
- The Mother-Child program is designed to allow babies to remain with their mother up to 24 months of age to facilitate breastfeeding and bonding. Any potential exceptions are considered on a case-by-case basis.

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- Participants receive the same prenatal and postnatal education available to expectant mothers in the community.
- Mothers are required to participate in a parenting program that includes infant development, early child care education and information about safe sleeping habits and the proper care of infants.
- In addition, public health nurses work with the mothers to ensure they receive education on the needs of their babies, including safe sleeping habits and nutritional needs.
- In August 2015, a group of community organizations led by Dr. Ruth Elwood Martin released their own set of guidelines for correctional jurisdictions across Canada that included input and recommendations from PSSG, Health and MCFD. This group requested that the ministries endorse the guidelines however, the request was denied as not all of the recommendations were adopted in their entirety. As a result of not endorsing the guidelines, the group has stated that children have been apprehended instead of being able to participate in the program.
- A class action law suit was launched against the Province for cancelling the Mother-Baby Program. Justice Ross reserved her decision until December 16, 2013, when she ruled in favour of the plaintiff and BC Corrections had until June 15, 2014, to remedy the situation.
- Babies had been allowed to reside with their mothers in custody from the time Alouette opened in 2004 until February 2008. During this period, 12 women gave birth while in custody and their newborns subsequently resided with them in custody.
- From March 2008 to the implementation of the program in June 2014, there were 23 babies born to inmates in provincial custody:

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Contact: John Cordeiro (CORR)	Phone: 250-356-7466	Mobile: 250-507-1429
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